

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

WINDELL GRAHAM,)
)
Plaintiff,)
)
vs.) CV 05-PT-0942-M
)
PRISON HEALTH SERVICES, INC., *et al.*,)
)
Defendants.)

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on May 16, 2006, recommending that the defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. The plaintiff filed objections on June 2, 2006.¹

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, the defendants' motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

The Clerk is DIRECTED to serve a copy of this order upon the plaintiff and upon counsel for the defendants.

¹ The plaintiff filed his objections in conjunction with a motion for extension of time for filing objections to include the date the objections were filed. The plaintiff's motion (Doc. #42) is GRANTED and the objections are considered for purposes of this opinion.

DONE this the 17th day of August, 2006.



ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE